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## COUNTY OF LOS ANGELES DEPARTMENT OF CONSUMER AFFAIRS

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DIRECTOR

November 12, 2003

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**Request for Term Extension for a Cable Television Franchise in the  
Unincorporated Area of Walnut Park Granted to Adelphia Communications  
Corporation, a Delaware Corporation**

**(1<sup>st</sup> District) (3 VOTES)**

**IT IS RECOMMENDED THAT YOUR BOARD**

1. Approve the amendment to extend the term of the cable television franchise through December 31, 2005 in the unincorporated area of Walnut Park granted by Ordinance No. 85-0148F, as amended.
2. Introduce, waive reading and place on your Board's Agenda for adoption the attached ordinance that implements the above recommendation.
3. Find that this extension is categorically exempt under the California Environmental Quality Act (CEQA) pursuant to Class 1, Section (e), of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, and Section 15301(b) of the State CEQA Guidelines.

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Adelphia Communications Corporation has a cable television franchise with the County that expires on December 31, 2003. Extension of the current franchise term through December 31, 2005 allows the County sufficient time to amend Title 16, Division 4 of the County Code (Cable Television System Franchises) and negotiate the renewal of this franchise.

#### Implementation of Strategic Plan Goals

Approval of this recommendation will assist in implementing the Countywide Strategic Plan goal of fiscal responsibility. This will ensure the continuation of revenue provided to the County by statute.

#### **FISCAL IMPACT/FINANCING**

There will be no cost to the County. This cable television franchise generates revenue to the County. Section 622 (b) of the Cable Act of 1984 (47 U.S.C. §542 (b)) gives a local franchising authority, such as the County, the right to collect franchise fees of no more than five percent (5%) of total gross revenues collected by a cable television operator over a 12-month period. The extension of this cable television franchise will allow continued collection of these franchise fees.

#### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The Office of the County Counsel has reviewed the attached ordinance and approved it as to form.

#### **ENVIRONMENTAL DOCUMENTATION**

The term extension of this cable television franchise is categorically exempt under CEQA pursuant to Class 1, Section (e) of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, and Section 15301(b) of the State CEQA Guidelines.

#### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

There will be no impact on current services.

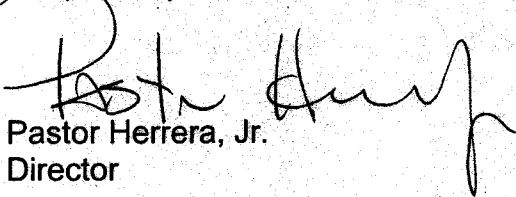
#### **CONCLUSION**

It is requested that the Executive Office-Clerk of the Board notify Mr. Thomas E. Carlock, Regional Vice President of Law and Public Policy, Adelphia Communications Corporation, 6320 Canoga Avenue, Suite 1300, Woodland Hills, CA 91367, County

The Honorable Board of Supervisors  
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Counsel, the Auditor-Controller, the Department of Public Works, and the Department of Consumer Affairs of the Board's action in this matter.

Respectfully submitted,



Pastor Herrera, Jr.  
Director

PHJ:FT:RS

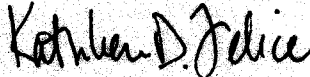
Attachments (1)

c: Thomas E. Carlock, Adelphia Communications  
Chief Administrative Officer  
Executive Officer, Board of Supervisors  
Auditor-Controller  
County Counsel  
Department of Public Works

## ANALYSIS

This ordinance extends through December 31, 2005, a franchise to operate a cable television system or systems and to provide cable television service in the Walnut Park unincorporated area, granted by Ordinance No. 85-0148F, as amended, to Adelphia Communications Corporation, a Delaware corporation.

LLOYD W. PELLMAN  
County Counsel

By   
KATHLEEN D. FELICE  
Senior Deputy County Counsel  
Public Works Division

KDF:ia

10/09/03 (requested)

10/09/03 (revised)

**ORDINANCE NO. \_\_\_\_\_**

An ordinance extending through December 31, 2005, a franchise to provide cable television service in the Walnut Park unincorporated area, granted to Adelphia Communications Corporation, a Delaware corporation.

The Board of Supervisors of the County of Los Angeles ordains as follows:

**SECTION 1.** Section 1 of Ordinance No. 85-0148F, as amended, is hereby amended to read as follows:

**Section 1.** Pursuant to Section 53066 of the Government Code of the State of California, the right, privilege, and franchise is granted to Adelphia Communications Corporation, a Delaware corporation, ("Franchisee"), through December 31, ~~2003~~2005, to construct, reconstruct, maintain, and to operate a Cable Television System (hereinafter called "System") in the unincorporated Service Area of the County of Los Angeles, described in Section 2 below, and to construct, reconstruct, maintain, operate, renew, repair, and remove in this Service Area radio and television signal transmission lines and cables and all appurtenances and/or service connections (hereinafter jointly referred to as "Facilities") which are necessary or convenient for the provision of a System. Said grant is subject to the faithful performance and observance by Franchisee of all the terms and conditions herein.